Document 9 Filed 10/26/10 Page 1 of 2 A Control **ELECTRONICALLY FILED** UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK CREDIT CARD PROCESSING USA, INC. d/b/a MSI MERCHANT SERVICES, INC., Plaintiff. Case No: 10-CV-7464 (LBS) MERRICK BANK CORPORATION and CARDWORKS, INC. STIPULATION EXTENDING TIME TO RESPOND TO Defendants. COMPLAINT

STEPULATION EXTENDING TIME FOR DEFENDANTS TO RESPOND TO COMPLAINT

It is hereby stipulated and agreed by and between Plaintiff, Credit Card Processing USA, Inc. d/b/a MSI Merchant Services, Inc., and Defendants, Merrick Bank Corporation and Cardworks, Inc. (collectively the "Defendants"), as evidenced by the signatures of their counsel below, that:

The Defendants' time to answer, move or otherwise respond to the Complaint is extended through and including December 3, 2010.

Dated: New York, New York October 21, 2010 WACHTEL & MASYR, LLP

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Attorneys for Defendants Merrick Bank Corporation and Cardworks, Inc.

SO ORDERED, this 2 day of

Honorable Leonard B. Sand United States District Judge